



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

OFFICE OF
COMPLIANCE AND ENFORCEMENT

JAN 25 2018

Reply to: OCE-101

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

The Honorable Jeff Brekke
Mayor
City of Gooding
308 5th Avenue West
Gooding, Idaho 83330

Re: City of Gooding WWTP NPDES Compliance Inspection
NPDES Permit Number ID-002002-8

Dear Mayor Brekke:

On March 27, 2000, the U.S. Environmental Protection Agency (EPA) issued a National Pollutant Discharge Elimination System (NPDES) permit to the City of Gooding, Idaho ("City") wastewater treatment facility ("Facility"), NPDES Permit Number ID-002002-8 ("Permit"). The Permit became effective on May 1, 2000, and expired on May 1, 2005. Subsequently, the Permit was administratively continued. The purpose of this letter is to notify you of violations EPA discovered after reviewing administrative files, including Discharge Monitoring Reports (DMRs) submitted by the City, and in response to the September 28, 2017, inspection of the Facility conducted by the Idaho Department of Environmental Quality (IDEQ) on behalf of EPA. The purpose of this inspection was to determine the Facility's compliance with the requirements of the Clean Water Act (CWA) and its NPDES permit. I would like to express my appreciation for your staff's time and cooperation during the inspection.

REVIEW OF ADMINISTRATIVE FILES

1. EPA reviewed the DMRs from January 2013 through December 2017 and identified effluent limitation exceedances that constitute 262 violations of the CWA, 33 U.S.C. § 1251 *et seq.* A list of these violations is enclosed (Enclosure 1).
2. Part II.C of the Permit states that monitoring results shall be summarized each month on the DMR form (EPA No. 3320-1), shall be submitted monthly and are to be postmarked by the 10th day of the following month.

During the EPA review of DMR data from January 2013 through December 2017, EPA found that the Facility submitted three DMRs late and a fourth DMR was not submitted at all. Failure to submit DMRs, or to submit them on time, is a violation of Part II.C of the Permit. A list of these violations is enclosed (Enclosure 2).

The City of Gooding is required to respond in writing to the findings stated above within thirty (30) days of receipt of this letter. The response should include the cause of the effluent exceedances, and the measures taken to prevent future exceedances. The request for information in this letter is made under the authority of Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318. In accordance with the provisions of 40 C.F.R. § 2.203(b), you may assert a business confidentiality claim covering part or all of the information submitted by clearly identifying it as "confidential." If no such claim accompanies the information when it is received by the EPA, it may be made available to the public without further notice. Your response should be sent to:

Raymond Andrews
Compliance Officer
Water and Wetlands Enforcement Unit
U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 900
OCE – 101
Seattle, Washington 98101

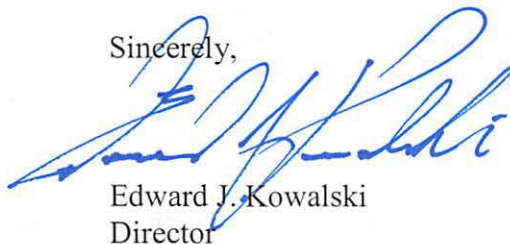
SEPTEMBER 2017 INSPECTION

At the time of the inspection, the inspector did not observe anything that would constitute a violation of the CWA or NPDES Permit.

Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to take appropriate measures to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

If you have any questions concerning this matter, please do not hesitate to call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski
Director

Enclosures

1. Effluent Exceedance Violations
2. DMR Late and Non-Receipt Violations

cc: Mr. Tyler Fortunati
Idaho Department of Environmental Quality

Mr. David Anderson
Idaho Department of Environmental Quality

Ms. Maria Lopez
Environmental Protection Agency

Mr. Larry Bybee
City of Gooding, Idaho